

Appl. No.: 10/520,227

Amdt. Dated August 3, 2007

Response to Office Action Mailed May 4, 2007

**AMENDMENTS TO THE DRAWINGS:**

**Please amend the drawings by replacing original sheet 2 containing Fig. 2 with the enclosed Replacement Sheet 2 containing amended Fig. 2.**

No new matter is added.

**Appendix attached at end of this paper: Replacement Drawing Sheet 2.**

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## REMARKS:

Applicant appreciates the time and care the examiner has taken in examining the application.

Amendments to the Claims. The claim amendments presented above are submitted in order to address the Section 112 rejection by clarifying that the "press rolls" originally identified in the original translated claim and specification are "pressure rollers" as that term is commonly used and well-known in the depilation art in the U.S. For example, Ramspeck et al., U.S. Patent No. 5,857,903, shows typical pressure rollers in Figs. 2, 7, and 8 and explains a typical arrangement of pressure rollers in the paragraph starting at col. 9, line 47. No new matter is presented, in that the pressure rollers were introduced in the original claims and described and explained in the specification at, among other places, p. 5 line 28 through p. 6 line 16. Moreover, Ramspeck and other references in the depilatory arts show that pressure rollers and their typical use and configurations are well known in the art. The coupling members, in the nature of slides 8, are described in their configuration and functions in the original specification at, among other places, p. 4 line 20 to p. 5 line 7, and p. 6 line 24 to p. 7 line 5, and are depicted in the original drawings at, among other places, Fig. 2.

Amendment to the Drawings. Fig. 2 has been amended to include pressure rollers 23, showing their shape, configuration and placement. The specification accordingly has been amended to include reference to the pressure rollers and their new reference numeral 23. No new matter is presented, in that pressure rollers were introduced in the original claims and described and explained in the specification at, among other places, p. 5 line 28 through p. 6 line

16. Moreover, Ramspeck and other references in the depilatory arts show that pressure rollers and their typical use and configurations are well known in the art. The coupling members, in the nature of slides 8, are depicted in the original drawings at, among other places, Fig. 2.

*Response to Drawing Objection and Claim Rejection under Section 112.* In view of the amendments and considerations discussed above, it is respectfully submitted that the drawing objection and the rejection of claims 12, 13, and 20 under Section 112 should be reconsidered and withdrawn.

*Response to Section 102(b) Rejection.* The base claim 1, from which all other claims depend, contains the following limitation:

**wherein actuating means for the clamping means (7) are designed and arranged in a manner that at least two clamping means (7) offset in the circumferential direction are each actuated at the same time.**

The reference Ramspeck et al fails to teach at least two clamping means offset in the circumferential direction being each actuated at the same time. In the structure of Ramspeck et al's device, those clamping means that are arranged in an offset manner to each other cannot be actuated simultaneously. It is noted that Applicant's specification at p. 1 line 7-17 distinguishes the device of Ramspeck et al's disclosure, cited as WO 98/05234, as one of a number of prior devices having the particular deficiencies outlined in the specification at the paragraph appearing at p. 1 line 32 to p. 2 line 17.

The structure set forth in claim 1 herein corrects such deficiencies, and is key to the enhanced performance explained in the original specification at the paragraph at p. 2, line 18 to p. 3 line 2:

**To this end, the epilating device of the initially mentioned kind is essentially characterized according to the invention in that the actuating means for the clamping means are designed and arranged in a manner that at least two clamping means offset in the circumferential direction are each**

actuated at the same time. Due to the fact that, as opposed to the known epilating devices, the clamping means are not actuated along a linear plucking zone extending in the direction of the axis of the rotary cylinder, but actuation is effected in a manner that at least two clamping means offset in the circumferential direction are each actuated simultaneously, provides for an effective plucking zone that extends over an enlarged region, viewed in the circumferential direction of the rotary cylinder. In doing so, at least one of the at least two clamping means will effectively enter into action as a function of the respective epilating device angle relative to the skin selected by the user. Since the at least two clamping means which are actuated simultaneously are not located on a common axially parallel line or generatrix of the rotary cylinder, the relative distance of the simultaneously actuated clamping means is accordingly enlarged, thus causing a reduction of unpleasant sensations to be observed subjectively.

Therefore, in view of the failure of Ramspeck et al to teach the features set forth in claim 1, the Section 102(b) rejection should be reconsidered and withdrawn.

Conclusion. In view of the foregoing, it is respectfully submitted that it is submitted that the rejections and objections should be reconsidered and withdrawn; that the application is in condition for prompt allowance; and that all of the objections, rejections and requirements raised in this application have now been met. Early, favorable treatment of this application is requested.

Extension Request and Deposit Account Charge Authorization. The Commissioner is hereby authorized to charge any required fees associated with this communication, including any required fees under 37 CFR § 1.17(a) for any necessary extensions of time under 37 CFR §1.136(a), which are hereby requested, to our Deposit Account No. 50-0305.

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The Examiner is encouraged to call Robert J. Schneider at the direct number (312) 845-3919 with any questions that arise in connection with this application, or to resolve any remaining issues.

Respectfully submitted,

  
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**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8**

Attorney Docket Number: 1716240  
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I hereby certify that the attached correspondence, namely: Response to Office Action, was transmitted by facsimile on the date listed above, to the U.S. Patent Office at the facsimile number listed above, under 37 C.F.R. § 1.8.

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Typed Name of Person Signing this Certificate: Jane S. Berman, Reg. No. 43,494

Date of Signature: August 3, 2007